IN THE HIGH COURT OF JUDICATURE AT BILASPUR

(CHHATTISGARH)

WRIT PETITION NO. 99/203 /2002

UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

PETITIONER: Yogendra Kumar ~~Pandar~~ Poddar, s/o Late K.P. Poddar, aged 52 years, occupation Teacher, Assistant Teacher, Maharana Pratap Prathmik Shalala, Raipur , r/o Shyam Nagar, Raipur, District Raipur (Chhattisgarh)

VERSUS

RESPONDENTS:

1. State of Chhattisgarh, through Secretary, Department of Schol Education, D.K.S. Bhawan Raipur (Chhattisgarh)

2. District Education Officer, Raipur, District Raipur(Chhattisgarh)

3. Principal, Maharana Pratap Prathmik Shalala, Raipur , District Raipur (C.G.)

4. Sankul Pracharya, / Primcipal, Govt. Multi Purpose Higher Secondary School Raipur(C.G.)

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक W.P. NO. 99/2003 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

05/05/2004

Shri Manoj Paranjpe, counsel for the petitioner.

Shri Bhaskar Pyasi, Panel Lawyer for the State/respondents.

The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India.

The main grievance of the petitioner is that he is not being paid salary since last more than 18 months inspite of the order of the State Administrative Tribunal, Raipur Bench.

The case of the petitioner is that he is working as an Assistant Teacher in Maharana Pratap Prathmik Shala, Raipur, District Raipur (Chhattisgharh). Vide order dated 17/07/2001 passed by the respondent nho.2 the petitioner was transferred to Prathmik Shala Mathpuren under the Yuktiyuktakaran Scheme. Against this order, the petitioner filed an application before the M.P. State Administrative Tribunal, Raipur Bench which was registered as O.A. No.996/2001 and the said State Administrative Tribunal passed an interim order on 02/11/2001 and by virtue of that order petitioner is still working at Maharana Pratrap Prathmik Shala, Raipur District Raipur. Petitioner is not being paid his salary since July, 2001, therefore, the petitioner was forced to file a Contempt Petition before the Tribunal on which the notices were directed to be issued to respondents and that Contempt Petition is still pending. But even then, the salary is not being paid to the petitioner. No return has been filed on behalf of the respondents.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Counsel for the petitioner submits that in the circumstances, the petitioner may be allowed to make a representation to respondent no. 1 and he be directed to decide the same to which learned counsel for the State/respondents has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation raising all his grievances to respondent no.1 within a period of ten days from today and in turn respondent no. 1 shall decide the representation within a period of thirty days from the date of receipt of the representation considering all the grievances raised by the petitioner in an objective manner by passing a reasoned order in accordance with law.

With the aforesaid observations and directions the petition stands disposed of.

Consequently, M.W.P.No. 102/2003 and I.A.Nos.458/2003 and 737/2004 also stand disposed of.

Certified copy as per Rules.

Sd/-
L.C. Bhadoo
Judge

[पीछे देखिये